REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 22, 25 and 26 are currently being amended.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-16, 19 and 21-26 remain pending in this application.

Claims 20-25 were objected to for minor informality. Applicant has renumbered the second claim 21 and previously numbered claims 22-25 to claims 22-26, as suggested by the Examiner. Further, the claims have been amended to change the dependencies accordingly. The objection to the claims should now be withdrawn.

Claims 1-8, 10-11, 13-16, 19, 21 and 23-26 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 5,930,706 to Raith (hereinafter "Raith"). Applicant respectfully traverses this rejection for at least the following reasons.

As noted in an earlier papers by Applicant, embodiments of the present invention relate to methods and systems for providing a broadcast or multicast service to a terminal device in a data network such that a connection state of the terminal device is switched to a dedicated channel state in response to a broadcast service notification. Thereby, point-to-point connections can be used for data transmission of broadcast or multicast services without requiring any additional responses from the concerned terminal devices. Accordingly, in accordance with embodiments of the present invention, configuration parameters for the broadcast or multicast service are transmitted by a related control channel which is a dedicated control channel, not the BCCH.

By contrast, Raith discloses an efficient sleep mode operation of a mobile terminal which allows the mobile station to stay in sleep mode when there is no change in the structure parameters of a cell specific digital control channel (DCCH). A separate point-to-multipoint channel (BCCH) is used for broadcasting structure parameters to decouple the requirement of a mobile station by periodically reading the overhead information for efficient sleep mode operation from the requirement of the system which periodically reads the BCCH transmission for fast acquisition at the cell station. The mobile station reads only changed BCCH information and can stay in sleep mode when there is no change in the BCCH information.

In accordance with the disclosure of Raith, each radio frequency (RF) channel of Raith is time division multiplexed into a series of repeating time slots. See e.g., Raith, col. 3, lines 52-57. Figure 3 of Raith illustrates a DCCH superframe which includes at least three logical channels, BCCH, PCH and ARCH. This cannot be interpreted to disclose that the BCCH and the PCH are part of the DCCH. In fact, the BCCH and PCH are separate broadcast channels, while the DCCH is a cell specific channel dedicated to the mobile station. See e.g., Raith col. 5, lines 1-5.

In the "Response to Arguments" section of the pending Office Action, the Examiner now cites Figure 11 and col. 20, lines 52-65 of Raith as supporting the Examiner's position that the DCCH and BCCH are not separate channels. See Office Action dated September 3, 2008, Page 8. Applicant respectfully disagrees with this interpretation of the disclosure of Raith.

Figure 11 of Raith illustrates a general time structure of a superframe which defines the time slots allocated to different channels. The Examiner appears to interpret the depiction of the BCCH and DCCH in one row as an indication that the BCCH and DCCH are not separate channels. Applicant respectfully notes that such an interpretation is unwarranted in light of the disclosure of Raith.

As clearly noted in Raith, Figure 11 illustrates a time division multiplexing. In such time division multiplexing systems, different channels are defined by their respective time slots. Figure 11 of Raith merely illustrates the time slots corresponding to the separate

channels. Therefore, nothing in Figure 11, or elsewhere, in Raith discloses that the DCCH and BCCH are not separate channels.

Further, in accordance with embodiments of the present invention, when a service context is created by the network, a broadcast service notification is transmitted for reception by all terminal devices located in t he coverage area. In response to this reception, a terminal device may switch its connection state to a dedicated channel state in which a physical channel is allocated.

In the Office Action, the Examiner equates the disclosure of reception of a page in Raith (col. 22, line 65) to the reception of the broadcast notification of the present invention. Applicant respectfully disagrees with this interpretation.

In accordance with the disclosure of Raith, paging is used for carrying information sent to specific mobile stations based on a mobile station identity included in the paging message. See Raith, col. 20, line 65. This is in sharp contrast to the reception of the broadcast notification recited in the pending claims.

For at least the above-noted reasons, Raith fails to anticipate the pending claims. Therefore, independent claims 1, 11, 16, 19, 21 and 24 are patentable. Claims 2-8, 10, 13-15, 23, 25 and 26 each depend, either directly or indirectly, from one of allowable claims 1, 11, 21 and 24 and are, therefore, patentable for at least that reason, as well as for additional patentable features when those claims are considered as a whole.

Claims 9, 12 and 22 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Raith in view of U.S. Patent Publication No. 2002/0126636 to Chen. Applicant respectfully traverses this rejection for at least the following reasons.

Claim 9 depends from allowable claim 1; claim 12 depends from allowable claim 11; and claim 22 depends from allowable claim 21. Therefore, claims 9, 12 and 22 are patentable for at least that reason, as well as for additional patentable features when those claims are considered as a whole.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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